**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO.2356 OF 2005**

Shirish Baburao Darekar ...Appellant

Vs.

Municipal Corporation of Greater Bombay ...Respondent

Mr.A.S.Kapse for the Appellant
Mr. J.J.Xavier for the Respondent.

**CORAM: A.S.OKA, J.**
**DATED: MAY 4,2006.**

**P.C.:**

1. Heard Advocates for the parties. Affidavit of the Appellant is taken on record and marked 'X' for identification. In view of the Affidavit, Appeal is dismissed as withdrawn. In view of the request made in the Affidavit, it is directed that if the application for regularization is made by the Appellant to the concerned authority of the Respondent within a period of eight weeks from today, the same will be decided by the concerned authority of the Respondent-Corporation within a period of ten weeks from the date of receipt of the application. The order passed on the said application to be communicated within a period of one week from the date of decision to the Appellant at the address mentioned in the cause title of the Appeal.

2. If the application for regularization is made within a period of eight weeks from today, the Respondent-Corporation will not take any action of demolition of the structure for a period of twenty four weeks from today.

3.If application for regularization is not made within the stipulated period, the Corporation will be free to proceed with the action of demolition.

**Judge.**